

## In the Claims

1-6. (Canceled)

7. (Currently Amended) A method of initiating forward error correction in an ethernet passive optical network including at least one optical network unit, comprising the steps of: by an optical line terminal:

(a) upon receiving forward error corrected data from the at least one optical network unit, responding thereafter with forward error corrected data; and

(b) upon receiving data not forward error corrected from the at least one optical network unit, responding thereafter with data not forward error corrected;

~~The method of claim 1,~~ wherein the step of responding thereafter with forward error corrected data includes changing a transmission protocol and state to send forward error corrected protected frames to the at least one optical network unit; and wherein the step of responding thereafter with data not forward error corrected includes changing a transmission protocol and state to send data not forward error corrected protected frames to the at least one optical network unit

8. (Currently Amended) A method of initiating forward error correction in an ethernet passive optical network including an optical line terminal, comprising the steps of: by an optical network unit:

(a) upon receiving forward error corrected data from the optical line terminal, responding thereafter with forward error corrected data; and

(b) upon receiving data not forward error corrected from the optical line terminal, responding thereafter with data not forward error corrected;

~~The method of claim 2,~~ wherein the step of responding thereafter with forward error corrected data includes changing a transmission protocol and state to send forward error corrected protected frames to the optical line terminal and wherein the step of responding thereafter with data not forward error corrected includes changing a transmission protocol and state to send data not forward error corrected protected frames to the optical line terminal.